

CHARFAUROS\_A.gar9

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IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF GUAM

## **FINAL ORDER IN CONTINUING GARNISHMENT**

## FINAL ORDER IN CONTINUING GARNISHMENT

21 This matter is before the Court for consideration of the entry of a final order in  
22 continuing garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act  
23 of 1990, 28 U.S.C. § 3205, against the non-exempt earnings of the judgment defendant, ANNIE  
24 MARIE Q. CHARFAUROS. An Application of Writ of Continuing Garnishment directed to  
25 Garnishee has been duly issued and served upon the Garnishee. Pursuant to the Writ of  
26 Continuing Garnishment, the Garnishee filed an Answer stating that at the time of the service of  
27 the Writ it had in its possession or under its control personal property belonging to and due  
28 defendant, in the form of earnings.

The defendant was served with a copy of the Writ of Continuing Garnishment and notified of her right to a hearing. The defendant has not requested a hearing to determine exempt property.

Whereupon the Court, having considered the Application for a Writ of Continuing Garnishment against the earnings of the Defendant, the Answer of the Garnishee, and noting that the defendant, ANNIE MARIE Q. CHARFAUROS, has not exercised her right to request a hearing now finds that the entry of a final order of continuing garnishment is in all respects proper.

IT IS THEREFORE ORDERED Garnishee shall pay to plaintiff the lesser of a) 25% for any workweek, pursuant to 15 U.S.C. § 1673(a), of defendant's disposable earnings or b) the amount by which defendant's disposable earnings exceed 30 times the federal minimum hourly wage. "Disposable earnings" are those earnings remaining after deductions of any amount required by law to be withheld, such as social security and withholding taxes. These payments shall be made at the same time the employee is paid and shall continue until the debt to the plaintiff is paid in full or the Garnishee no longer has custody, possession or control of any property belonging to the debtor or until further Order of this Court. Payments shall be made payable to the "**Clerk, U.S. District Court of Guam**" and sent to the U.S. District Court of Guam, 4<sup>th</sup> Floor, U.S. Courthouse, 520 West Soledad Avenue, Hagåtña, Guam 96910.

IT IS FURTHER ORDERED that any amounts which the Garnishee may be holding pursuant to the Writ of Continuing Garnishment shall immediately be turned over to the Clerk, U.S. District of Guam, 4<sup>th</sup> Floor, U.S. Courthouse, 520 West Soledad Avenue, Hagåtña, Guam 96910.



*/s/ Frances M. Tydingco-Gatewood*  
**Chief Judge**  
**Dated: Mar 19, 2007**